

Environmental Subcommittee Summary and Action items
12/04/02

Attendees:

1. Brenda Snooks, Ione Band of Miwok Indians
2. Caleen Sisk- Franco, WinnememWintu
3. Cassandra Hensher, California Indian Basketweavers Association
4. Cynthia Gomez, California DOT, Native American Liaison Branch, HQ
5. Darold Heikens, California DOT, Project Manager for Roadside Management and Design
6. Debbie Pilas-Treadway, Native American Heritage Commission
7. Ernest Faircloth, Sr., El Dorado Miwok
8. Glen Villa, Jr., Ione Band of Miwok Indians
9. Jila Priebe, California DOT, Native American Liaison Branch, HQ
10. Jody Brown, California DOT, Environmental Program, D3
11. Kathleen Sartorius, California DOT, Native American Liaison, D-1, 2,3
12. Kathleen Zahniser, California DOT, Planning, D-10
13. Kesner C. Flores Jr. Cortina Indian Rancheria
14. Lysa Daniels, El Dorado Miwok
15. Marta Frausto, California DOT, Native American Liaison-D6
16. Meyo Marrufo, Robinson Rancheria
17. Randy Yonemura,
18. Sara Allred, California DOT, Environmental Program, Archeologist, D3
19. Sherry Johnstone, California DOT, Civil Rights
20. Tina Biorn, California DOT, Environmental Analysis, HQ
21. Wayne Marrufo, Robinson Rancheria

Background

Currently, the Department doesn't have a policy regarding "selection of monitors" for projects. This issue was brought up several months ago. The subcommittee under the direction of the Native American Advisory Committee (NAAC) has been working on development of a new policy for the Department regarding "selection of monitors." At the October 2, 2002 meeting Tina Biorn presented the subcommittee with the draft copy of a memo titled "Current Policy and Practice of employing Native American monitors." The memorandum was written to clarify current policy and practice for employing Native American monitors on the Department's projects. The subcommittee made revisions to the draft memo, and that revision was distributed at the October 23 NAAC meeting.

The intent for finalizing this memorandum is to serve as policy and be a part of the Departments' "Environmental Handbook manual of Instructions, Volume 2." The focus of the December 4th meeting was on clarification for "selection/qualifications of monitors." The subcommittee's consensus and action items are as follows:

Action items:

- A companion memorandum on consultation with Native Americans is needed to emphasize that involving monitors does not supplant “consultation.”
- Policy needs to put more emphasis on the history and cultural value of protection of cultural resources.
- Consultation with Tribes should be done early on in planning stages, in addition to “consultation” under Section 106.
- It is a good practice for the Tribes to provide Caltrans staff with a list of contact person(s) for early consultation.
- Caltrans staff (District Native American Coordinator) should provide that list to respective staff in other functional units that are working on projects that may have an impact on cultural resources.
- Tina is currently working on creating a task force, charged with improving follow-through of environmental commitments into construction to identify information, including the Tribes “contact list” that will be provided to a project’s construction lead (i.e. Resident Engineer.)
- Selection of monitors – Is a result of the Section 106 consultation.
- Initial contact letters should ask (1) if there is any interest in the subject area, (2) if there is any known cultural sites, and (3) who is the designated contact for further communication.
- If there is a response to subsequent letters about identified resources, every effort should be made to notify the tribe(s) at all time, at every step of the way.
 - The Department may or may not choose more than one monitor on a project.
 - When tribal ancestral lands have been identified, selection of monitor(s) will be made by the tribe(s)
 - Tribes may resolve monitoring disputes amongst themselves.

The next Environmental Subcommittee meeting is scheduled for March 4, 2003. The meeting is going to be held at the Woodland Training Center at 624 N. East Street, Woodland, CA 95776, from 10:00 am to 4:00 pm.